

COMMONWEALTH OF KENTUCKY
ENVIRONMENTAL AND PUBLIC PROTECTION CABINET
OFFICE OF FINANCIAL INSTITUTIONS
AGENCY CASE NO. 2004-AH-036
ADMINISTRATIVE ACTION NO. 04-PPC-0405

OFFICE OF FINANCIAL INSTITUTIONS

COMPLAINANT

Vs.

FINAL ORDER

NED N. FARHAT

RESPONDENT

The Office of Financial Institutions having informed the Respondent that his request for registration as a mortgage loan officer was denied on the basis of KRS 294.265(1)(d) and a hearing having been requested by Respondent and an administrative hearing having been scheduled to be held on December 7, 2004, at the Louisville Office of the Attorney General, University of Louisville, Shelby Campus, Louisville, Kentucky and the Respondent having failed to appear and the Hearing Officer having issued a Recommended Order of Default and Dismissal of Appeal, and no exceptions to the Recommended Order having been filed, and the Executive Director having considered the Recommended Order, it is

ORDERED AND ADJUDGED that:

1. The Recommended Order of Default and Dismissal of Appeal of the Hearing Officer is **HEREBY AFFIRMED**;
2. The denial of registration of Ned Farhat as a mortgage loan officer is **HEREBY AFFIRMED**.
3. The Respondent's appeal of his denial is **HEREBY DISMISSED**.

Notice of Appeal Rights

This constitutes a Final Order of the Commissioner in the above matter. Pursuant to KRS 294.210:

Any person aggrieved by final order of the commissioner may obtain a review of the order in Franklin Circuit Court, by filing in court, within sixty (60) days after the entry of the order, a written petition praying that the order be modified or set aside in whole or in part. A copy of the petition shall be forthwith served upon the commissioner, and thereupon the commissioner shall certify and file in court a copy of the filing, testimony, and other evidence upon which the order was entered. When these have been filed, the court has exclusive jurisdiction to affirm, modify, enforce or set aside the order in whole or in part. No objection to the order may be considered by the court unless it was urged before the commissioner or there were reasonable grounds for failure to do so...

Pursuant to KRS 23A.010(4), "Such review [by the Circuit Court] shall not constitute an appeal but an original action." Some courts have interpreted this language to mean that summons must be served when filing an appeal petition in the Circuit Court.

Dated this 24 day of January, 2005..



Thomas B. Miller
Executive Director
Office of Financial Institutions
1025 Capital Center Drive, Suite 200
Frankfort, Kentucky 40601
(502) 573-3390

Certificate of Service

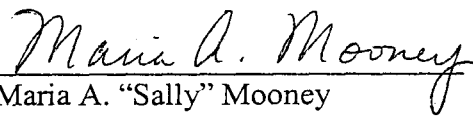
I hereby certify that on this the 25 day of January, 2005, this Final Order was served by mailing a true and correct copy of same by

Certified mail, return receipt requested to:

Ned N. Farhat
1710 Stevens Aven.
Louisville, KY 40205

and by messenger mail to:

Susan S. Durant
Hearing Officer
Division of Administrative Hearings
Office of the Attorney General
1024 Capital Center Drive, Suite 200
Frankfort, KY 40601-8204



Maria A. "Sally" Mooney
Counsel